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February 28, 2011

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Suite TW-A325  
Washington, DC 20554

RE: Annual CPNI Certification; EB Docket No. 06-36

Dear Secretary Dortch:

Pursuant to Section 64.2009(e) of the Commission's rules and the Public Notice dated January 28, 2011, enclosed for filing in the above-referenced docket is the executed annual CPNI certification for MegaPath, Inc. and its affiliates DSLnet Communications, LLC; DSLnet Communications VA, Inc.; Covad Communications Group, Inc.; Covad Communications Company; DIECA Communications, Inc.; and Speakeasy, Inc. Attached to the certificate is a summary of the companies' CPNI policies.

Please contact me at (202) 220-0410 or [anthony.hansel@megapath.com](mailto:anthony.hansel@megapath.com) with any questions regarding this filing.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anthony Hansel".

Anthony Hansel  
Assistant General Counsel

cc: Best Copy and Printing, Inc.

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**  
**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2011 covering the prior calendar year 2010

Date filed: February 28, 2011

Name of company(s) covered by this certification and Form 499 Filer IDs:

MegaPath, Inc.	827360
DSLnet Communications, LLC	819114 consolidated
DSLnet Communications VA, Inc.	819114 consolidated
Covad Communications Group, Inc.	822052 consolidated
Covad Communications Company	822052 consolidated
DIECA Communications, Inc.	822052 consolidated
Speakeasy, Inc.	822312

Form 499 Filer IDs: 827360, 819114 consolidated, 822052 consolidated, and 822312

Name of signatory: Doug Carlen

Title of signatory: Senior Vice President and General Counsel

Certification:

I, Doug Carlen, certify that I am an officer of MegaPath, Inc.; DSLnet Communications, LLC; DSLnet Communications VA, Inc.; Covad Communications Group, Inc.; Covad Communications Company; and DIECA Communications, Inc., and that I was an officer of Speakeasy, Inc. at the time of its dissolution in December 2010 (collectively, the "Companies"), and acting as an agent of the Companies, that I have personal knowledge that the Companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the Companies' procedures ensure that the Companies are in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The Companies have not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The Companies have not received customer complaints in the past year concerning the unauthorized release of CPNI.

The Companies represent and warrant that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The Companies also acknowledge that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed



Doug Carlen  
Senior Vice President and General Counsel  
MegaPath, Inc.  
DSLnet Communications, LLC  
DSLnet Communications VA, Inc.  
Covad Communications Group, Inc.  
Covad Communications Company  
DIECA Communications, Inc.  
Speakeasy, Inc.

Executed February 28, 2011

### Summary Statement of CPNI Policies

MegaPath, Inc. and its affiliates DSLnet Communications, LLC; DSLnet Communications VA, Inc.; Covad Communications Group, Inc.; Covad Communications Company; DIECA Communications, Inc.; and Speakeasy, Inc. (the “Companies”) have established practices and procedures to ensure that they protect the privacy of their customers’ information and to ensure that they are in compliance with Section 222 of the Communications Act and the Commission’s Customer Proprietary Network Information (“CPNI”) rules.

The Companies have programs in place to ensure that the use, disclosure, or access to CPNI by the Companies’ employees, affiliates, agents, joint venture partners, or other third parties is in accordance with the Commission’s rules. The following is a summary of Companies’ policies and procedures related to protection of customer information:

- **Access Limitation:** The Companies limit the use and disclosure of and access to CPNI by employees or other entities subject to disciplinary action. The Companies require that the CPNI only be used for the purpose it was provided and prohibit disclosure to any other party, unless required by force of law.
- **Training Programs:** The Companies conduct training to ensure that employees, affiliates, agents, joint venture partners, and other third parties with access to CPNI adequately protect such information in accordance with the Commission’s rules.
- **Legal Review Process:** The Companies’ Legal Department reviews sales and marketing campaigns before they are implemented to ensure compliance with the Commission’s CPNI rules.
- **Record Retention:** Records of sales and marketing campaigns utilizing CPNI are maintained for at least one calendar year.
- **Collection and Maintenance of Customer Notifications/Approvals:** In any situation where either opt-in or opt-out approval for the use of CPNI becomes necessary, the Companies will obtain appropriate customer approval depending on the situation prior to use of that CPNI and will retain records of such approvals for at least one calendar year. In such circumstances, customers are notified of their right, and our duty, under federal law to protect the confidentiality of CPNI and of their right to restrict use of, disclosure of, and access to their CPNI. Under the Commission’s rules, the Companies are not required to obtain customer consent to use CPNI in all circumstances. If consent is required, the Companies have a system to determine the status of customer’s approval to use its CPNI.
- **Confidentiality:** To the extent that the use of CPNI becomes necessary, the Companies take steps to ensure that CPNI received by its agents, affiliates, joint

venture partners, and independent contractors is used properly. The Companies require that the CPNI only be used for the purpose it was provided and prohibits disclosure to any other party, unless required by force of law.

- **Reporting Opt-Out Failures:** The Companies will notify the Commission by letter within five business days if its opt-out mechanism does not work properly.
- **Avoidance of Pretexting:** The Companies have in place security verification procedures to ensure that changes to service may only be made by and customer account information is only provided to bona fide customers.
- **Notification of CPNI Breaches:** In accordance with the Commission's rules, the Companies have in place a system to notify the federal government and customers of breaches in CPNI security. Records related to any such breaches will be kept for at least two years.